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EXAMINER

LEE, BRYAN Y

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/530,867	<b>Applicant(s)</b> IZUMI, MICHIIRO	
	<b>Examiner</b> BRYAN LEE	<b>Art Unit</b> 2445	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,4-7,10-13,16-22 and 25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-7,10-13,16-22 and 25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____                                                          | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Remarks/Arguments*

1. This communication is considered fully responsive to the Amendment filed on 15 December 2008.

- a. Objection(s) to claim 22 is/are withdrawn since the claim(s) has/have been amended accordingly.
- b. Objection(s) to claims 23-26 is/are withdrawn since the claim(s) has/have been amended/cancelled accordingly.
- c. The 101 rejection(s) to claims 13, 16-18, 25 and 26 is/are withdrawn since the claim(s) has/have been amended/cancelled accordingly.
- d. The 112 rejection(s) to claims 1, 4, 10 and 16 in regard to the indefinite word 'it' is/are withdrawn, since the subject matter of 'it' has been clearly identified in the amended claims.
- e. The 112 rejection(s) to claims 1, 7 and 13 in regard to the decision branch is/are **maintained**. See below for more details.

2. Applicant's arguments with respect to **claim(s) 1, 7, 13 and 19** have been considered but are moot in view of the new ground(s) of rejection.

Applicant has argued that as to amended claim 1, 7 and 13, the cited prior art does not disclose or suggest each and every limitation alone or in combination. Applicant has given a list of reasons to support this assertion. For instance, Applicant argues that transmitting to a destination station on a

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predetermined protocol is not disclosed. However, T.37 and T.39 as disclosed by *Kawabata*, are protocols – as is the TCP/IP protocol, also disclosed by *Kawabata*. A protocol can cover any range of conceivable communications. If applicant wishes to narrow the range of protocols, applicant may do so.

Applicant further argues differences between the disclosed invention and *Kawabata*. Specifically, that *Kawabata* does not teach -- the data communication starting automatically even after the telephone connection using the SIP protocol. Even if *Kawabata* does not teach this aspect of the disclosed invention, this language is not present in the claim language.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 1, 4-7, 10-13, and 16-18** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to **claims 1, 7, and 13**, all recite a similar limitation relating to a decision on which communication path a communication will travel. The disclosure shows such a decision in Fig. 7A, S402. If VoIP supported use a packet switched connection or IP, otherwise use an alternate circuit switched connection or line. While the claims indicate two branches they do not make

clear which branch corresponds to which connection. Examiner will treat the first branch as the IP connection and the second as the alternate.

Specifically, **claim 1** discloses if destination station is not able to transmit/receive on IP, ... then transmit/receive via IP network connecting means. See the second to last limitation of claim 1 and converting means earlier in the claim.

Specifically, **claim 7** discloses if destination station is not able to transmit/receive on IP, ... then convert for transmission onto an IP network. See the second to last limitation of claim 7.

Specifically, **claim 13** discloses if destination station is not able to transmit/receive on IP, ... then convert for transmission onto an IP network. See the second to last limitation of claim 13 and converting means earlier in the claim.

Dependant **claims 4-6, 10-12, and 17-18** are also rejected under the above stated reason since as dependent claims they include the claims language from the independent claims 1, 7, and 13.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claim(s) 1, 4, 7, 10, 13 and 16** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pre-Grant Publication 20040057568 A1 to *Kawabata et al.* ("*Kawabata*") in view of "SIP Demystified", by *Camarillo* ("*Camarillo*") and in view of U.S. Pre-Grant Publication 2003/0154283 A1 to *Brown* ("*Brown*").

As to **claim 1**, *Kawabata* disclose(s) a communication apparatus (*Kawabata* Fig. 1; Communications Terminal Unit) which includes IP (Internet Protocol) communication means (*Kawabata* Fig. 1; IP Network Control Section; 21) and transmits/receives communication data to/from a destination station discriminated by a telephone number, (*Kawabata* "phone number" [0017]) comprising:

IP address obtaining means for obtaining an IP address of the destination station. (*Kawabata* Fig. 1; Sip Call Control Section; 22)

*Kawabata* do(es) not expressly disclose doing so from an SIP (Session Initiation Protocol) proxy server based on the telephone number of the destination station.

*Camarillo* discloses using a SIP proxy server to obtain a destination IP address from a telephone number. (*Camarillo* pp. 156; "final response from proxy to Laura" which includes "Bob's" IP address)

*Kawabata* and *Camarillo* are analogous art because they are from the same field of endeavor with respect to SIP.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the SIP proxy aspect of *Camarillo* with the apparatus from *Kawabata*. The suggestion/motivation would have been to initiate a SIP communication. (*Camarillo* pp. 151-157)

*Kawabata* further disclose(s) a communication apparatus further comprising a facsimile communication means for performing facsimile communication on a line switching network; (*Kawabata* Fig. 1; 23, 24; G3 Fax Transmission Control Section & PSTN Call/Network Control Section)

converting means for converting a signal that said facsimile communication means transmits/receives into data on an IP network (*Kawabata* Fig. 1; IP Network; 40); (*Kawabata* Fig. 1; T.38 Transmission Control Section; 20; T.38 is a digital protocol for faxing over packet switched network)

IP network connecting means adapted for connection to the IP network; and (*Kawabata* Fig. 1; IP Network Control Section; 21)

control means for controlling to, (*Kawabata* Fig. 1; System Control Section; 18)

if the destination station is able to transmit/receive communication data (*Kawabata* discloses facsimile transmissions) on the IP network based on a predetermined file transmit/receive protocol (*Kawabata* ; T.38 is a protocol for faxing over packet switched networks; [0031]), start to transmit/receive image data to/from the destination station based on the predetermined file transmit/receive protocol, via the IP network connecting means, using the

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obtained IP address of the destination station, in response to the acquirement of the IP address by said IP address obtaining means, and (*Kawabata* Fig. 7; If an IP route exists then use IP Network; See RT21, RT23; [0079])

if the destination station is not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol (*Kawabata* T.38), cause said facsimile communication means to start transmission/reception of image data to/from the destination station based on a predetermined file transmit/receive protocol (*Kawabata* ; T.30 is a protocol for faxing over circuit switched networks; [0031]), in response to the acquirement of the IP address of the destination station by said IP address obtaining means, and cause said converting means to execute conversion of the signal that said facsimile communication means transmits/receives and transmit/receive thus converted signal to/from the destination station via said IP network connecting means. (*Kawabata* Fig. 7; If an IP route does not exist, then use phone line; See RT22; The applicant has not clearly disclosed how the IP connection is used in both an analog path and digital path. See previous 112 ¶2 rejection. If an IP path was not available, then according to the disclosure an analog path, or voice band channel, would be the alternative. See ¶ [0079] of application.)

*Kawabata* do(es) not expressly disclose if said destination station is able to transmit/receive the communication data based on the predetermined file transmit/receive protocol, said control means transmits a response confirmation signal to the destination station relevant to the obtained IP address and starts the



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transmission of the image data, in response to reception of a corresponding response signal of the destination station from said SIP proxy server.

*Brown* disclose(s) transmitting acknowledgments to responses during a handshaking process. A handshaking process is used to establish a mutual protocol before sending payload data. (*Brown*; Fig. 2; [0043])

*Kawabata* and *Brown* are analogous art because they are from the same field of endeavor with respect to data communications.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the handshaking aspect of *Brown* with the apparatus of *Kawabata*. The suggestion/motivation would have been to establish communication between compatible devices. (*Brown*; Fig. 2; [0043])

As to **claim 4**, *Kawabata* and *Camarillo* further disclose(s) a communication apparatus, wherein an IP address obtaining means judges, by analyzing the telephone number of the destination station (*Kawabata* Fig. 5; S503; "analyze dial number";), whether or not the obtaining means is able to perform the communication with the destination station via a VoIP (Voice over Internet Protocol) network (*Kawabata* Figs. 4A-H, where tables disclose mapping prefixes to network types, including IP), and tries to obtain the IP address of the destination station from a predetermined server (*Camarillo* SIP proxy previously addressed) when it is able to perform the communication via the VoIP network, and said control means transmits/receives the communication data to/from the destination station on the IP network based on the first predetermined file

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transmit/receive protocol by using the obtained IP address of the destination station. (*Kawabata* ; T.38 is a protocol for faxing over packet switched networks)

As to **claim 7**, *Kawabata* and *Camarillo* further disclose(s) a control method execute in a communication apparatus which includes an IP communication means and transmits/receives communication data to/from a destination station discriminated by a telephone number:

an IP address obtaining means for obtaining an IP address of the destination station from an SIP proxy server based on the telephone number of the destination station,

a facsimile communication means for performing a facsimile communication on a line switching network,

a converting means for converting a signal that said facsimile communication means transmits/receives into data on the IP network,

an IP connecting means for connecting to an IP network; and

a control unit, the method comprising:

if destination station is able to transmit/receive communication data on the IP network based on a predetermined file transmit/receive protocol, the control unit controlling to start to transmit/receive image data to/from the destination station based on the predetermined file transmit/receive protocol using the obtained IP address of the destination station, in response to the acquirement of the IP address,

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if destination station is not able to transmit/receive communication data on the IP network based on the first predetermined file transmit/receive protocol, the control unit controlling to start transmission/reception of image data to/from the destination station based on the predetermined file transmit/receive protocol in response to the acquirement of the IP address of the destination station, and execute conversion of the signal that is transmitted/received and transmit/receive thus converted signal to/from the destination station, and

if said destination station is able to transmit/receive the communication data based on the predetermined file transmit/receive protocol, the control transmits a response confirmation signal to the destination station relevant to the obtained IP address and starts the transmission of the image data, in response to reception of a corresponding response signal of the destination station from said SIP proxy server.

See similar rejection and motivation to claim 1, where the method is taught by the apparatus of claim 1.

As to **claim 10**, *Kawabata* and *Camarillo* further disclose(s) a control method, wherein the IP address obtaining unit judges, by analyzing the telephone number of the destination station, whether or not the obtaining unit is able to perform the communication with the destination station via a VoIP network, and tries to obtain the IP address of the destination station from a predetermined server when it is able to perform the communication via the VoIP network, and the communication data is transmitted/received to/from the

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destination station on the IP network based on the predetermined file transmit/receive protocol by using the obtained IP address of the destination station.

See similar rejection and motivation to claim 4, where the method is taught by the apparatus of claim 4.

As to **claim 13**, *Kawabata* and *Camarillo* further disclose(s) a computer-readable storage medium on which is stored computer code for a control program for a communication apparatus which includes an IP communication means and transmits/receives communication data to/from a destination station discriminated by a telephone number,

An IP address obtaining means for obtaining an IP address of the destination station from an SIP proxy server based on the telephone number of the destination station,

A facsimile communication means for performing a facsimile communication on a line switching network,

A converting means for converting into a signal that said facsimile communication means transmits/receives into data on the IP network

An IP connecting means for connecting to an IP network, and

A control unit, the program comprising:

if destination station is able to transmit/receive communication data on the IP network based on a predetermined file transmit/receive protocol, the control means controls to start to transmit/receive image data to/from the destination

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station based on the predetermined file transmit/receive protocol using the obtained IP address of the destination station, in response to the acquirement of the IP address,

if not able to transmit/receive communication data on the IP network based on the predetermined file transmit/receive protocol, the control means controls to start transmission/reception of image data to/from the destination station based on the predetermined file transmit/receive protocol in response to the acquirement of the IP address of the destination station, and execute conversion of the signal that is transmitted/received and transmit/receive thus converted signal to/from the destination station, and

if said destination station is able to transmit/receive the communication data based on the predetermined file transmit/receive protocol, the control transmits a response confirmation signal to the destination station relevant to the obtained IP address and starts the transmission of the image data, in response to reception of a corresponding response signal of the destination station from said SIP proxy server.

See similar rejection and motivation to claim 1, where the control program is taught by the apparatus of claim 1.

As to **claim 16**, *Kawabata* and *Camarillo* further disclose(s) computer readable storage medium, wherein the IP address obtaining means judges, by analyzing the telephone number of the destination station, whether or not the obtaining unit is able to perform the communication with the destination station

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via a VoIP network, and tries to obtain the IP address of the destination station from a predetermined server when it is able to perform the communication via the VoIP network, and transmitting/receiving the communication data to/from the destination station on the IP network based on the predetermined file transmit/receive protocol by using the obtained IP address of the destination station.

See similar rejection and motivation to claim 4, where the control program is taught by the apparatus of claim 4.

7. **Claim(s) 5, 11 and 17** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pre-Grant Publication US 20040057568 A1 to *Kawabata et al.* ("*Kawabata*") in view of "SIP Demystified", by *Camarillo* ("*Camarillo*") in further view of U.S. Patent No. 7133899 B2 to *Rowe et al.* ("*Rowe*") and "DSL for Dummies" by *Angell* ("*Angell*") and in view of U.S. Pre-Grant Publication 2003/0154283 A1 to *Brown* ("*Brown*").

As to **claim 5**, *Kawabata* and *Camarillo* do(es) not disclose(s) a communication apparatus, wherein said IP network connecting means is an ADSL (Asymmetric Digital Subscriber Line) modem.

*Rowe* disclose(s) an apparatus with a Digital Subscriber Line (DSL) interface (*Rowe* Fig. 3; Network Interface; 350; col. 4 44-54), ADSL being a form of DSL (See *Angell* p. 46).

*Kawabata*, *Camarillo*, *Rowe*, and *Angell* are analogous art because they are from the same field of endeavor with respect to network enabled devices.

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At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the ADSL interface aspect of *Rowe and Angell* with the apparatus of *Kawabata and Camarillo*. The suggestion/motivation would have been to allow an apparatus to connect to a network. (*Rowe* Fig. 3; Network Interface; 350; col. 4 44-54)

As to **claim 11**, *Kawabata, Camarillo, Rowe, and Angel* further disclose(s) a control method, wherein the IP network connecting unit is an ADSL modem.

See similar rejection and motivation to claim 5, where the method is taught by the apparatus of claim 5.

As to **claim 17**, *Kawabata, Camarillo, Rowe, and Angel* further disclose(s) a computer-readable storage medium, further comprising a control step of performing the transmission/reception of the communication data on the IP network and the transmission/reception of the communication data on an analog communication path by using an ADSL modem.

See similar rejection and motivation to claim 5, where the control program is taught by the apparatus of claim 5.

8. **Claim(s) 6, 12 and 18** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pre-Grant Publication US 20040057568 A1 to *Kawabata et al.* ("*Kawabata*") in view of "SIP Demystified", by *Camarillo* ("*Camarillo*") in further view of "RFC 3261 - SIP: Session Initiation Protocol", by Rosenberg et al. ("*RFC 3261*") and in view of U.S. Pre-Grant Publication 2003/0154283 A1 to *Brown* ("*Brown*").

As to **claim 6**, *Kawabata* and *Camarillo* disclose(s) a communication apparatus, wherein the IP address of the destination station is obtained from a predetermined server based on the telephone number of the destination station by using a predetermined UDP (User Datagram Protocol) (*Camarillo* See “Invite from Laura’s UA to SIP Proxy” p. 152, the invite set via UDP), and said control means controls to transmit/receive the communication data to/from the destination station by using the obtained IP address of the destination station, based on a predetermined TCP (Transmission Control Protocol). (*Kawabata* Fig. 1; SIP Call Control Section; The SIP Call Control Section must inherently implement UDP and TCP. *RFC 3261* “All SIP elements MUST implement UDP and TCP” [Page 142])

As to **claim 12**, *Kawabata* and *Camarillo* further disclose(s) a control method, wherein the IP address of the destination station is obtained from a predetermined server based on the telephone number of the destination station by using a predetermined UDP, and the communication data is transmitted/received to/from the destination station by using the obtained IP address of the destination stations based on a predetermined TCP.

See similar rejection and motivation to claim 6, where the method is taught by the apparatus of claim 6.

As to **claim 18**, *Kawabata* and *Camarillo* further disclose(s) a computer-readable storage medium, further comprising a control steps of obtaining the IP address of the destination station from a predetermined server based on the



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telephone number of the destination station by using a predetermined UDP, and transmitting/receiving the communication data to/from the destination station by using the obtained IP address of the destination station based on a predetermined TCP.

See similar rejection and motivation to claim 6, where the control program is taught by the apparatus of claim 6.

9. **Claim(s) 19, 20, and 23-26** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pre-Grant Publication US 20040057568 A1 to *Kawabata et al.* ("*Kawabata*") in view of "SIP Demystified", by *Camarillo* ("*Camarillo*") in view of U.S. Patent No. 6,209,048 B1 to *Wolff* ("*Wolff*") and in view of U.S. Pre-Grant Publication 2003/0154283 A1 to *Brown* ("*Brown*").

As to **Claim 19**, *Kawabata* disclose(s) a communication method which sends/receives communication data in IP (Internet Protocol) communication between communication apparatuses (*Kawabata* Fig. 1; Communications Terminal Unit) discriminated by telephone numbers (*Kawabata* "phone number" [0017]).

*Kawabata* do(es) not expressly disclose a communications method comprising, a first communication apparatus obtaining an IP address of a second communication apparatus from a predetermined server based on the telephone number of the second communication apparatus, and sending a data communication request to the second communication apparatus based on the obtained IP address.

*Camarillo* discloses initiating a SIP communication session. (*Camarillo* pp. 151-157)

Initiating SIP sessions through proxy servers (a proxy is a predetermined server; *Camarillo* pp. 156). Initiating a session includes obtaining an IP address and sending data communication requests. (*Camarillo* pp. 151-157)

*Kawabata* and *Camarillo* are analogous art because they are from the same field of endeavor with respect to SIP.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the SIP initiation aspect of *Camarillo* with the apparatus from *Kawabata*. The suggestion/motivation would have been to initiate a SIP communication. (*Camarillo* pp. 151-157)

*Kawabata* do(es) not expressly disclose the second communication apparatus transmitting an HTTP data getting message to the first communication apparatus in response to reception of a response confirmation signal in SIP (Session Initiation Protocol) from the first communication apparatus; and

*Brown* disclose(s) transmitting acknowledgments to responses during a handshaking process. A handshaking process is used to establish a mutual protocol before sending payload data. (*Brown*; Fig. 2; [0043])

*Kawabata* and *Brown* are analogous art because they are from the same field of endeavor with respect to data communications.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the handshaking aspect of *Brown* with the

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apparatus of *Kawabata*. The suggestion/motivation would have been to establish communication between compatible devices. (*Brown*; Fig. 2; [0043])

*Kawabata* further do(es) not expressly disclose the communication apparatus on a data receiving side of the first and second communication apparatuses sends a data sending request to the communication apparatus on a data sending side of the first and second communication apparatuses based on a data send/receive protocol conforming to an HTTP (HyperText Transport Protocol), and sends/receives the communication data on an IP network based on the data send/receive protocol.

*Wolff* discloses a fax machine with an integrated web server that allows another device with a web browser to request data via HTTP over an IP network. (*Wolff* Fig.2; col. 9, ll. 49-52)

*Kawabata*, *Camarillo* and *Wolff* are analogous art because they are from the same field of endeavor with respect to transferring image data between devices.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the web server aspect of *Wolff* with the method disclosed in *Kawabata and Camarillo*. The suggestion/motivation would have been to provide an alternative method of access content. (*Wolff* Col. 2, 46-47)

As to **Claim 20**, *Kawabata*, *Camarillo* and *Wolff* further disclose(s) a communication method, wherein the predetermined server is an SIP (Session Initiation Protocol) proxy server, and the first communication apparatus obtains

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the IP address of the second communication apparatus from the SIP proxy server based on an SIP. (*Camarillo* pp. 156; “final response from proxy to Laura” which includes “Bob’s” IP address)

As to **Claim 25**, *Kawabata*, *Camarillo* and *Wolff* further disclose(s) a computer-readable storage medium on which is stored computer code for a control program communication apparatus which controls the operation of the first or second communication apparatus.

See similar rejection and motivation to claim 19, where the apparatus is taught by the method of claim 19.

10. **Claim(s) 21 and 22** is/are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pre-Grant Publication US 20040057568 A1 to *Kawabata et al.* (“*Kawabata*”) in view of “SIP Demystified”, by *Camarillo* (“*Camarillo*”) in view of U.S. Patent No. 6,209,048 B1 to *Wolff* (“*Wolff*”) and in further view of U.S. Pre-Grant Publication 2003/0028892 A1 to *Gewickey* (“*Gewickey*”) and in view of U.S. Pre-Grant Publication 2003/0154283 A1 to *Brown* (“*Brown*”).

As to **Claim 21**, *Kawabata*, *Camarillo* and *Wolff* do(es) not disclose a communication method, wherein the communication apparatus on the data receiving side of the first and second communication apparatuses has a WWW (World Wide Web) communication function in respect to data of a WWW server using the data send/receive protocol conforming to the HTTP, and receives the communication data from the communication apparatus on the data sending side by using the WWW communication function.

*Gewickey* discloses embedding a web browser into a device to allow that device to browse, jump links, cache files, and retrieve files using the HTTP protocol. (*Gewickey* Fig. 1; 122; [0065] cache; [0083] links; [0146] HTTP)

*Kawabata, Camarillo, Wolff* and *Gewickey* are analogous art because they are from the same field of endeavor with respect to transferring image data between devices.

At the time of invention, it would have been obvious to a person of ordinary skill in the art to combine the web browser aspect of *Gewickey* with the method disclosed by *Kawabata, Camarillo* and *Wolff*. The suggestion/motivation would have been to allow a device to view image information. (*Gewickey* [0008])

As to **Claim 22**, *Kawabata, Camarillo, Wolff* and *Gewickey* further disclose a communication method, wherein the communication apparatus on the data receiving side of the first and second communication apparatuses performs processes such as browsing, jump to another link, recording output, transfer in respect to the communication data received from the communication apparatus on the data sending side by using the WWW communication function.

See similar rejection and motivation to claim 21.

### ***Conclusion***

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRYAN LEE whose telephone number is (571)270-5606. The examiner can normally be reached on 9/4/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Larry Donaghue can be reached on 571-272-3962. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/B. L./  
Examiner, Art Unit 2445

/Larry D Donaghue/  
Primary Examiner, Art Unit 2454